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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

BRIDGELUX, INC.,

Plaintiff,

No. C 08-80028-MISC JSW

v.

CREE, INC.,

Defendant.

**ORDER REGARDING WHETHER
TO RELATE CASES C08-80028
JSW (EDL) AND C08-80029 RMW
(PVT) AND TRANSFER CASE TO
THE SAN JOSE DIVISION**

It has come to the Court's attention that two miscellaneous cases have been filed in connection with motions to quash the same exact subpoenas issued to non-party Philips Lumileds Lighting Co., LLC ("Philips Lumileds") by Defendant Cree, Inc. in the underlying case, *Bridgelux, Inc. v. Cree, Inc.*, 9:06-cv-00240 RHC, currently pending in the United States District Court for the Eastern District of Texas. Thus, it is appropriate to consider whether these two cases are "related" such that they should be assigned to the same judge. *See Civil L.R. 3-12(c)*. It also appears that the proper divisional assignment is the San Jose Division of this court, in that the subpoenas at issue were both served on non-party Philips Lumileds at its offices in San Jose, California. *See General Order No. 44 at D.1*. Thus, transfer to the San Jose Division appears to be warranted. *See General Order No. 44 at E.3*.

Therefore, it is HEREBY ORDERED that no later than April 10, 2008, the parties and non-party Philips Lumileds shall each file their positions with regard to whether the two above

1 referenced cases should be related and the earlier numbered case transferred to the San Jose
2 Division.

3 **IT IS SO ORDERED.**

4
5 Dated: April 8, 2008


6 JEFFREY S. WHITE
7 UNITED STATES DISTRICT JUDGE

8 cc: Wings Hom